

6/25/85



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

TOWN OF MERRIMACK, NEW HAMPSHIRE :
 :
 Petitioner :
 :
 v. :
 :
 INTERNATIONAL BROTHERHOOD OF POLICE :
 OFFICERS, LOCAL NO. 320, MERRIMACK :
 :
 Respondent :
 :

CASE NO. P-0723:3

DECISION NO. 85-49

ORDER DENYING MOTION

FOR REHEARING

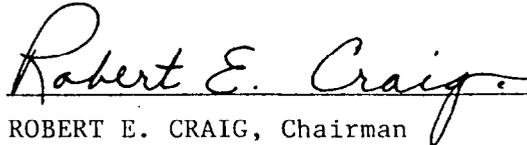
On January 22, 1985, PELRB reached a unanimous decision wherein it ordered the Town of Merrimack to return to the previous provision of disability benefits; method of workmen's compensation payment; method of requiring a doctor's certificate for three or more days of illness; reimbursement to Sgt. Clement of payments owed her; and, negotiations with Local 320 over these and any other related issues.

The Town appealed PELRB's decision stating that many of the findings were contrary to fact, interpretation of the applicable collective bargaining agreement and contrary to fact and law. It further alleged that the records were incomplete and additional evidence was available and should be considered.

PELRB requested that the Town furnish an offer of proof. Local 320 in their motion in opposition to the rehearing request stated the Town had failed to notify them of their original request until PELRB's request to the Town for an offer of proof and that both the so-called "zipper clause" and grievance procedure issues were raised at the original hearing.

After consideration of all materials presented at the original hearing, rehearing request and offer of proof, PELRB rules as follows:

ORDERS that the motion for rehearing be and hereby is, DENIED.



 ROBERT E. CRAIG, Chairman

Dated this 25th day of June, 1985.

By unanimous decision. Chairman Robert E. Craig presiding. Members Richard W. Roulx, Russell Verney and Seymour Osman present and voting. Also present, Executive Director, Evelyn C. LeBrun.